

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Smt.B.Lakshmiddevamma, Retd. C.D.P.O., I.C.D.S Project, Dharmavaram, Ananthapur – Misappropriation of Govt. funds in purchasing of petrol and oil charges; publicity notes and payment of honorarium to Jana Sikshana Samastha under Kishore Balika Yojana - Disciplinary proceedings initiated under Rule – 20 of A.P.C.S [CC & A] Rules, 1991 – Imposing a penalty of 10% cut in admissible pension for a period of five years besides recovery of Rs.1,03,600/- under Rule – 9 of A.P. Revised Pension Rules, 1980 – Orders – Issued.

DEPT. FOR WOMEN, CHILDREN, DIFFERENTLY ABLED & SENIOR CITIZENS [ESTT. A2]

G.O.RT.No. 57

Dated: 28-06-2017
Read the following:-

01. Commissioner, W.D & C.W., A.P., Charge Memo.No.690/Vig.2/2011, dated 28-02-2011.
02. Written statement of Defence dt 10-03-2011 submitted by the Charged Officer.
03. From Commissioner, W.D & C.W., A.P., Lr.No.690/Vig.2/2011, dated 23-08-2012.
04. Govt. Memo.No.5146/Estt.A2/2012-1, dated 14-03-2013.
05. G.O.Rt.No.207, Dept. for WCD & SCs (Estt.A2), dt.27-06-2013.
06. From the Commissioner (I/c), W.D & C.W., A.P., Lr.No.690/Vig.2/2014, dated 13-10-2014.
07. Govt. Memo.No.5146/Estt.A2/2012-5, dated 07-11-2014.
08. Further explanation dated 24-12-2014 of the C.O.
09. Govt. Memo.No.5146/Estt.A2/2012-6, dated 28-04-2015.
10. From the Spl. Commissioner, W.D & C.W., A.P., Lr.No.690/Vig.2/2011, dated 22-01-2016.
11. Govt. Memo.No.5146/Estt.A2/2012-8, dated 23-05-2016.
12. Further written explanation dated 29-09-2016 of the C.O.
13. Govt.Letter.No.5146/Estt.A2/2012-10, dt:14.03.2017.
14. From the Secy., A.P.P.S.C., Lr.No.302/DC &C/1/2017, dt:10.04.2017.

ORDER: -

Whereas, the Commissioner, W.D & C.W., A.P., vide Lr. 2nd read above, has informed the Govt. that the Commissioner, W.D & C.W., vide Charge Memo. 1st read above had issued certain articles of charges as mentioned therein in respect of Smt.B.Lakshmiddevamma, Retd. C.D.P.O., ICDS Project, Dharmavaram, Ananthapur District, under Rule – 20 of A.P.C.S (CC&A) Rules, 1991 on the ground of misappropriation of Govt. funds in purchasing of petrol and oil charges; publicity notes and payment of honorarium to Jana Sikshana Samastha under Kishore Balika Yojana. The Commissioner, W.D & C.W., A.P., vide Letter 3rd read above while referred the case to the Govt. has requested to take further action since the Charged Officer had retired from service on 28-02-2011, on attaining the age of superannuation.

2. And whereas, the Charged Officer has submitted her written Statement of Defense dated 10-03-2011 vide reference 2nd read above, denying the charges and requested to kindly consider her case, on humanitarian grounds and drop the Charge Memo. Since the Charged Officer had denied the Charges, Government vide Memo.4th read above, have requested the Commissioner, W.D & C.W., A.P., to take action to appoint the Enquiry Officer to enquire into the charges framed against the Charged Officer and to submit enquiry report within a period of three weeks.

3. And whereas, Govt. vide G.O.5th read above, have issued orders, under Rule – 20 (2) of A.P.C.S (CC&A) Rules, 1991, appointing the R.J.D., W.D & C.W., Kurnool and the P.D., D.W & C.D.A., Ananthapur, as Enquiry Officer and Presenting Officer, respectively to inquire into the charges framed against the Charged Officer. The Commissioner (I/c), W.D & C.W., A.P., vide Letter 6th read above had forwarded a copy of the enquiry report to Govt. for taking further action in the matter. The enquiry officer has submitted her enquiry report concluding that the Charges – I and II are held proved and that the Charge – III is not proved.

4. Govt. vide Memo.7th read above, have requested the Commissioner, W.D & C.W., A.P., under Rule – 21 (2) of A.P.C.S (CC&A) Rules, 1991, to forward a copy of the enquiry report to the Charged Officer for submission of her further explanation in the matter. The Commissioner (I/c), W.D & C.W., A.P., vide Lr. dt.12-01-2015, had forwarded the further explanation dated 24-12-2014 submitted by the Charged Officer on the findings of the Enquiry Officer. Govt. in Memo.9th cited had requested the Director, W.D & C.W., A.P., to offer specific remarks on the explanation submitted by the Charged Officer. The Commissioner, W.D & C.W., vide reference 10th read above, regarding Charge – I, has opined that the Charged Officer has not only engaged a private vehicle without prior permission and also utilized Rs.75,000/- towards petrol and oil charges on it and it shows clearly her mis-utilization of authority. Regarding Charge – II, has opined that the Charged Officer has deviated the instructions issued by the Director, W.D & C.W., while utilizing the funds for publicity and advertisement and it shows the disobedience of the higher authorities and mis-utilization of authority. Regarding Charge – III, has opined that the Charged Officer had utilized the KSY funds for the purpose for which they were released.

05. And whereas, Government after careful consideration of the matter, have provisionally decided to impose a penalty of 10% cut in admissible pension for a period of five years under Rule – 9 of A.P.Revised Pension Rules, 1980, besides recovery of Rs.1,03,600/- towards misappropriated Govt. funds in respect of Smt.B.Lakshmiddevamma, Retd. CDPO, ICDS Project, Dharmavaram, Ananthapur District, as the Charges – I and II of mis-appropriation of Government funds to a tune of Rs.1,03,600 (Rs.75,000 towards petrol and oil charges and Rs.28,600/- towards publicity charges) were held proved as per the findings of the Enquiry Officer and as per the remarks of the Spl. Commissioner, W.D & C.W., A.P.

06. And whereas, the Govt. vide reference 11th read above have issued a Show Cause Notice to the Charged Officer, to show cause as to why the above proposed punishment shall not be imposed on her, as the charges were held proved.

07. The Charged Officer in her further explanation vide reference 12th read above, among other things had denied the charges and therefore, requested the Govt. to drop further action on the charges and the proposed punishment.

08. Government after examining the further explanation dated 29-09-2016 submitted by the Charged Officer, have decided to impose a punishment of 10% cut in admissible pension for a period of five years under Rule – 9 of A.P.Revised Pension Rules, 1980, besides recovery of Rs.1,03,600/-, which was provisionally decided in respect of the Charged Officer, as the further explanation dated 29-09-2016 submitted by her has no new grounds for its consideration and also as the Charges – I and II of mis-appropriation of Govt. funds to a tune of Rs.1,03,600/- were held proved as per the findings of the E.O., and as agreed by the Spl. Commissioner, W.D & C.W., A.P., Guntur.

09. And whereas, the Government vide Letter 13th read above, have forwarded a proposal to the Secretary, A.P.P.S.C., to obtain and communicate the concurrence of the 'Commission' on the decision taken by the Government as in Para – 8 above so as to conclude the disciplinary proceedings, pending against the Charged Officer in the present case.

10. And whereas, the Secretary, A.P.P.S.C., vide its letter 14th read above, has informed the Government that the 'Commission' has agreed with the proposal of the Government to impose the punishment i.e. 10% cut in admissible pension for a period of five years, besides recovery of Rs.1,03,600/-, against the Charged Officer.

11. Now, the Government after careful consideration of the matter, under Rule – 9 of A.P. Revised Pension Rules, 1980, hereby impose the punishment of 10% [ten percent] cut in admissible pension for a period of five years, besides recovery of Rs.1,03,600/-, in respect of Smt. B.Lakshmiddevamma, Retd. CDPO, ICDS Project, Dharmavaram, Ananthapur District, as the charges framed against her are held proved.

12. This order issues with the concurrence of A.P.P.S.C vide their Lr. 14th read above.

13. The Spl. Commissioner, W.D & C.W., A.P., Guntur, is requested to take necessary further action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Smt.APARNA UPADHYAYULA
SECRETARY TO GOVERNMENT.

To
Smt.B.Lakshmiddevamma, Retd. CDPO, ICDS Project, Dharmavaram, Ananthapur,
through the O/o Spl. Commnr., W.D & C.W., A.P., Guntur.

The Special Commissioner, W.D & C.W., A.P., Guntur.

The Accountant – General, A.P., Hyderabad.

Copy to: -

The Secretary, A.P. Public Service Commission, Hyderabad.

SF / SCs.

// FORWARDED :: BY ORDER //

SECTION OFFICER